



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : NINKOV, D.
SERIAL NO : 10/715,886
FILED : November 17, 2003
TITLE : COMPOSITION FOR TREATMENT OF INFECTIONS OF HUMANS

Grp./A.U. : 1614
Examiner :
Conf. No. :
Docket No. : P06886US03

NOTIFICATION OF CHANGE OF ENTITY STATUS (37 CFR 1.27(b))

COMMISSIONER FOR PATENTS

Mail Code

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Patentee hereby notifies the Patent and Trademark Office that it was incorrectly filed as a large entity, and that the claim for large entity status, set forth at the time of the application filing on November 17, 2003, is hereby withdrawn and hereinafter Patentee claims small entity status.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Alexandria, VA

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☐ transmitted by facsimile to the Patent and Trademark Office, Art Unit. 3624 at Fax No. (703) 872-9306.

Bruce W. McKee

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce McKee". The signature is fluid and cursive, with the first name "Bruce" and last name "McKee" clearly distinguishable.

BRUCE W. MCKEE, Reg. No. 19,651
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- bja -

Attorneys of Record

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMPOSITION FOR TREATMENT OF INFECTIONS OF HUMANS AND ANIMALS**

The specification of which

- a. ☐ is attached hereto
- b. ☒ is entitled **COMPOSITION FOR TREATMENT OF INFECTIONS OF HUMANS AND ANIMALS**, having an attorney docket number 12996.1USU1.
- c. ☒ was filed on February 7, 2000 as application serial no. 09/499,197 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
- b. ☐ such applications have been filed as follows:

| FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119 | | | |
|--|--------------------|--------------------------------------|-------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
| | | | |
| ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S) | | | |
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
| | | | |

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. APPLICATION NUMBER | DATE OF FILING (day, month, year) | STATUS (patented, pending, abandoned) |
|-------------------------|-----------------------------------|---------------------------------------|
| | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| U.S. PROVISIONAL APPLICATION NUMBER | DATE OF FILING (Day, Month, Year) |
|-------------------------------------|-----------------------------------|
| 60/151,858 | 1 SEPTEMBER 1999 |

. hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| | | | |
|-----------------------------|-----------------|---------------------------|--------------------|
| Albrecht, John W. | Reg. No. 40,481 | Lacy, Paul E. | Reg. No. 38,946 |
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| Batzli, Brian H. | Reg. No. 32,960 | Lindquist, Timothy A. | Reg. No. 40,701 |
| Beard, John L. | Reg. No. 27,612 | McDonald, Daniel W. | Reg. No. 32,044 |
| Berns, John M. | Reg. No. 43,496 | McIntyre, Jr., William F. | Reg. No. P- 44,921 |
| Black, Bruce E. | Reg. No. 41,622 | Mueller, Douglas P. | Reg. No. 30,300 |
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| Caspers, Philip P. | Reg. No. 33,227 | Pytel, Melissa J. | Reg. No. 41,512 |
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| Cochran, William W. | Reg. No. 26,652 | Schmaltz, David G. | Reg. No. 39,828 |
| Daignault, Ronald A. | Reg. No. 25,968 | Schuman, Mark D. | Reg. No. 31,197 |
| Daley, Dennis R. | Reg. No. 34,994 | Schumann, Michael D. | Reg. No. 30,422 |
| Dalglish, Leslie E. | Reg. No. 40,579 | Scully, Timothy B. | Reg. No. 42,137 |
| Daulton, Julie R. | Reg. No. 36,414 | Sebald, Gregory A. | Reg. No. 33,280 |
| DeVries Smith, Katherine M. | Reg. No. 42,157 | Skoog, Mark T. | Reg. No. 40,178 |
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| Edell, Robert T. | Reg. No. 20,187 | Storer, Shelley D. | Reg. No. 45,135 |
| Epp Ryan, Sandra | Reg. No. 39,667 | Sumner, John P. | Reg. No. 29,114 |
| Glance, Robert J. | Reg. No. 40,620 | Sumners, John S. | Reg. No. 24,216 |
| Goggin, Matthew J. | Reg. No. 44,125 | Swenson, Erik G. | Reg. No. 45,147 |
| Golla, Charles E. | Reg. No. 26,896 | Tellekson, David K. | Reg. No. 32,314 |
| Gorman, Alan G. | Reg. No. 38,472 | Trembath, Jon R. | Reg. No. 38,344 |
| Gould, John D. | Reg. No. 18,223 | Underhill, Albert L. | Reg. No. 27,403 |
| Gregson, Richard | Reg. No. 41,804 | Vandenburgh, J. Derek | Reg. No. 32,179 |
| Gresens, John J. | Reg. No. 33,112 | Wahl, John R. | Reg. No. 33,044 |
| Hamre, Curtis B. | Reg. No. 29,165 | Weaver, Karrie G. | Reg. No. 43,245 |
| Hillson, Randall A. | Reg. No. 31,838 | Welter, Paul A. | Reg. No. 20,890 |
| Holzer, Jr., Richard J. | Reg. No. 42,668 | Whipps, Brian | Reg. No. 43,261 |
| Johnston, Scott W. | Reg. No. 39,721 | Wickhem, J. Scot | Reg. No. 41,376 |
| Kadievitch, Natalie D. | Reg. No. 34,196 | Williams, Douglas J. | Reg. No. 27,054 |
| Kastelic, Joseph M. | Reg. No. 37,160 | Witt, Jonelle | Reg. No. 41,980 |
| Kettelberger, Denise | Reg. No. 33,924 | Wu, Tong | Reg. No. 43,361 |
| Keys, Jeramie J. | Reg. No. 42,724 | Xu, Min S. | Reg. No. 39,536 |
| Knearl, Homer L. | Reg. No. 21,197 | Zeuli, Anthony R. | Reg. No. 45,255 |
| Kowalchyk, Alan W. | Reg. No. 31,535 | | |
| Kowalchyk, Katherine M. | Reg. No. 36,848 | | |

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|---|----------------------------|--|----------------------------------|--|
| 2 | Full Name Of Inventor | Family Name NINKOV | First Given Name DUSAN | Second Given Name |
| 0 | Residence & Citizenship | City ORANGE CITY | State or Foreign Country IOWA | Country of Citizenship YUGOSLAVIA |
| 1 | Post Office Address | Post Office Address 3689 460TH STREET | City ORANGE CITY | State & Zip Code/Country IOWA 51041/USA |
| Signature of Inventor 201: Dr. D. Ninkov <i>SD Dusan Ninkov</i> | | | Date: 06/20/2000 | |